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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05 00457 JSW
	)	
Plaintiff,	)	PARTIES' STIPULATION AND
	)	<del>PROPOSED</del> ORDER SETTING
v.	)	STATUS CONFERENCE AND
	)	EXCLUDING TIME PURSUANT TO
PATRICK JENKINS,	)	18 U.S.C. § 3161(h)(8)(A)
	)	
Defendant.	)	
	)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties appeared on the instant matter on August 11, 2005 for defendant's initial appearance before the Court.

2. At the August 11, 2005 initial appearance, Assistant Federal Public Defender Daniel Blank, who represents the defendant, requested a continuance based upon effective preparation of counsel. The court set a date for a status hearing for August 25, 2005, and the parties requested that the time period from August 11, 2005 to August 25, 2005 be excluded from the calculation of time under the Speedy Trial Act.

3. In light of the foregoing facts, the failure to grant the requested exclusion would

unreasonably deny counsel for the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(A), (B)(iv). The ends of justice would be served by the Court excluding the proposed time period. These ends outweigh the best interest of the public and the defendant in a speedy trial. See id. § 3161(h)(8)(A).

4. For the reasons stated, the time period from August 11, 2005 through August 25, 2005 shall be excluded from the calculation of time under the Speedy Trial Act.

SO STIPULATED.

DATED: 8/11/05

KEVIN V. RYAN  
United States Attorney

/s/  
MICHELLE MORGAN-KELLY  
Assistant United States Attorney

DATED: 8/12/05

/s/  
DANIEL BLANK  
Assistant Federal Public Defender

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 17, 2005

  
JEFFREY S. WHITE  
United States District Court